



STATE OF WASHINGTON
DEPARTMENT OF COMMUNITY,
TRADE AND ECONOMIC DEVELOPMENT

Justice Assistance Grant Application FFY 2006

Draft January 2006

Juli Wilkerson
Director

Justice Assistance Grant Application

FFY 2006

January 2006

Washington State Department of
Community, Trade and Economic Development
906 Columbia Street SW
PO Box 42525
Olympia WA 98504-2525

Prepared by Bill Johnston
Contact Phone No.: (360) 725-3030

Nancy K. Ousley, Assistant Director
Local Government Division

Paul Perz, Managing Director
Safe & Drug-Free Communities Unit

- FUNDING ACKNOWLEDGMENT -

Funds awarded by the Bureau of Justice Programs, U.S. Department of Justice, supports this program. The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program offices and bureaus: Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office of Victims of Crime. Points of view or opinions contained within this document do not necessarily represent the official position or policies of the U.S. Department of Justice.

- NOTICE OF POSSIBLE CHANGE -

The Justice Assistance Grant funding and programs presented in this application represent those identified in the Governor's proposed budget. Authorization from the 2006 Legislative Session is required prior to expenditure, and allows for legislative modification of the programs and funding levels discussed in this document. After these events, the relevant sections of this grant application will be revised as the final state application, as necessary.

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**JUSTICE ASSISTANCE GRANT
APPLICATION**

FFY 2006

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Justice Assistance Grant Washington State

Program Narrative

Programs Selected for Funding:

- Drug Interdiction
 - Multi-Jurisdictional Narcotics Task Forces*¹
 - Prosecution Support in Narcotics Task Forces
 - State Patrol Participation in Narcotics Task Forces
- Infrastructure
 - Governor's Council on Substance Abuse
 - Tribal Law Enforcement Summit
- Evaluation
- Administration

Need for the Selected Programs:

Drug Interdiction is the single largest criminal justice need that is beyond the capacity of local jurisdictions to adequately address on their own, and which lacks another primary federal or state funding source.

This program is the core of the state's drug control/enforcement strategy. Drug trafficking organizations operate without regard to jurisdictional boundaries, and are normally beyond the resources of single jurisdictions to adequately investigate. This program pools local, state, and federal resources to disrupt mid- to high-level drug trafficking organizations and coordinates drug enforcement across the state. For the 2005-2006 fiscal year, the total task force expenditures for the state are estimated to be \$19,789,000.

	2005-2006 (Estimate)		2006-2007 (Projected)	
Local	\$ 14,017,000	69.36%	\$ 14,000,000	71.42%
State	\$ 1,069,000	5.29%	\$ 1,070,000	5.46%
Other Federal	\$ 1,634,000	8.09%	\$ 1,634,000	8.33%
JAG* ²	\$ 3,489,000	17.26%	\$ 2,899,000	14.79%
Total	\$ 20,209,000	100.00%	\$ 19,603,000	100.00%

By outright elimination of grant support for most other activities, the further cut in overall narcotics task force funding may be limited to \$606,000.

*¹ Local Distribution funds will be awarded to the primary contractors for the narcotics task forces at the request of those participating jurisdictions qualifying for under \$10,000 awards.

*² Inclusive of the Local Government Distribution administered by the state

Infrastructure:

The Governor's Council on Substance Abuse provides state level, multi-disciplinary coordination of substance abuse issues, and recommends policy to the Governor's office and the legislature.

The Tribal Law Enforcement Summit is conducted annually to explore and facilitate adoption of cooperative plans and agreements impacting the quality of life and law enforcement on tribal reservations and in surrounding jurisdictions.

Statewide Priorities and Planning:

Since 1987 and the introduction of the Drug Control Systems Improvement Grant, which later became the Byrne Formula Grant, the multi-jurisdictional investigation of narcotics trafficking has been the highest priority criminal justice program not supported with other state or federal grant funds.

Only two other projects are funded; both are infrastructure projects of statewide impact with a high criminal justice impact.

All other projects have been reduced to their state and local funding levels, or eliminated outright in order to concentrate Justice Assistance Grant funds in meaningful amounts on those programs with the greatest impact on the criminal justice system.

**Justice Assistance Grant
Washington State
Budget Narrative**

Fund Distribution:

<u>Program</u>	<u>Allocation</u>
Drug Interdiction	
Multi-Jurisdictional Narcotics Task Forces	\$ 2,287,935
State Patrol Participation in Narcotics Task Forces	\$ 675,000
Infrastructure	
Governor's Council on Substance Abuse	\$ 110,000
Tribal Law Enforcement Summit	\$ 15,000
Evaluation	\$ 97,000
Administration	<u>\$ 353,881</u>
Total Award:	\$ 3,538,816

Pass-Thru Program Funds:

Each program's budget structure operates in a similar manner. The specific elements of expense are not pre-defined other than the exclusion of unauthorized costs. However, the categorical budget of each project is reviewed and accepted, or amended, prior to project approval.

Primary elements of expense are personnel (salary, benefits, and overtime), operational costs, travel, training, and facilities/supplies. The mix of each element within a project/program is standardized by program, but allows some flexibility based upon the uniqueness of each project and the elements of expense borne by other fund sources.

Evaluation:

Evaluation funds will support approximately half of a full-time employee to conduct/coordinate the monitoring and peer review of the drug interdiction program. Four to six peer reviews, and between eight and ten monitoring visits of interdiction projects, are projected.

Evaluation funds may also support the analysis of initiatives related to those funded under this award to determine best practices, program options, coordination opportunities, and refinement of goals.

Program assessment will include: review and revision of assessment tools and products; analysis; and assessment reporting/dissemination.

Administrative Funds:

Tentative personnel and functional assignments to support the Justice Assistance Grant are listed on the next page. The list is tentative until other state and federal administrative funding has been identified.

State Administrative Agency (SAA) Staffing

Management:

Paid w/JAG funds: 0.85 Working on JAG programs: 0.85

- Develop/apply agency policy to the administration and planning of federally funded programs.
- Confirm program manager interpretation of state and federal policy and regulations prior to their application to programs or individual projects.
- Balance the competing demand for services and program implementation in accordance with legislative direction, state policy, relevant regulations, and availability of resources.

Program Managers:

Paid w/JAG funds: 1.4 Working on JAG programs: 1.4

- Develop and manage the program administration, including application and contracting processes for each program.
- Provide technical assistance to each program.
- Identify and formulate policy and compliance guidance.
- Receive and process monthly expenditure and quarterly activity reports.
- Conduct on-site monitoring.
- Conduct/participate in semi-annual or annual program training (administrative, technical, and programmatic issues).
- Conduct issue-specific program evaluation and individual project compliance, and performance evaluations as needed.
- Develop and manage program and unit budgets, including calculation of match and character of expenditures.
- Prepare the state's annual report and grant application.

Evaluation Staff:

Paid w/JAG funds: 0.8 Working on JAG programs: 0.8

- Facilitates peer review of narcotics task forces; conducts on-site monitoring of other selected sub-grant recipients; and consolidates program and project reports into coherent program assessments.

Support Staff:

Paid w/JAG funds: .95 Working on JAG programs: .95

- Assists the unit and program managers in all aspects of program administration.

Fiscal Support:

Paid w/JAG funds: 0.5 Working on JAG programs: 0.5

- Establish and maintain Justice Assistance Grant program accounts; process individual project and unit expenditures for reimbursement; and drawdown Bureau of Justice Assistance reimbursement.

Pass Through Requirement:

The state award is comprised of two components:

\$ 392,885 of Local Distribution funds

\$3,145,931 of State Distribution funds (60% of state's total program allocation)

\$3,538,816 State Administrative Agency Award

The local government 'Pass Through' requirements for this state award are:

\$ 392,885 of Local Distribution funds	\$3,145,931 of State Distribution funds
<u>x 100%</u> (local distribution's rate)	<u>x 63.72%</u> (State Distribution rate)
\$ 392,885	\$2,004,587

The total pass through requirement is \$2,397,472.

This minimum requirement is exceeded by the distribution of the state's award.

	<u>Pass Through</u>
Multi-Jurisdictional Narcotics Task Forces	\$ 2,287,935
State Patrol Participation in Narcotics Task Forces	\$ 340,000 (with waivers)
Evaluation	\$ 97,000
Administration	<u>\$ 225,493</u>
	\$ 2,950,428

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Justice Assistance Grant Washington State

Review Narrative

Legislative Review:

Governor Gregoire's budget, including this program's budget, was submitted to the legislature on December 19, 2005. Passage of the state budget constitutes legislative approval of the grant's programs and program allocations. Should the legislature modify any element of the program as specified in this application, a revision will be submitted reflecting their decision.

Public Review:

The Justice Assistance Grant budget was made available for public review at the same time as the governor's budget presentation to legislature, December 19, 2005.

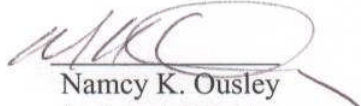
Complete copies of this application were also made available for public review by posting the complete application, less signatures, to the agency web site on January 23, 2006, less than ten working days after determination of the state allocation.

The public may provide comment to either the Department of Community, Trade and Economic Development or to the legislature, up to the date the legislature passes the state budget, which is expected to occur no earlier than mid-March, 2006.

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APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION	3. DATE RECEIVED BY STATE	State Application Identifier	
Application Non-Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier	
5. APPLICANT INFORMATION			
Legal Name		Organizational Unit	
Washington State		Department of Community Trade And Economic Development	
Address		Name and telephone number of the person to be contacted on matters involving this application	
Attn Safe And Drug Free Communities Unit P.O. Box 42525 Olympia, Washington 98504-2525		Johnston, William (360) 725-3030	
6. EMPLOYER IDENTIFICATION NUMBER (EIN)		7. TYPE OF APPLICANT	
91-0824820		State	
8. TYPE OF APPLICATION		9. NAME OF FEDERAL AGENCY	
New		Bureau of Justice Assistance	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT	
NUMBER: 16.738 CFDA EDWARD BYRNE MEMORIAL JUSTICE TITLE: ASSISTANCE GRANT PROGRAM		FFY 2006 Justice Assistance Grant	
12. AREAS AFFECTED BY PROJECT			
Statewide			
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF	
Start Date: October 01, 2005 End Date: September 30, 2014		a. Applicant b. Project WA01 WA02 WA03 WA04 WA05 WA06 WA07 WA08 WA09	
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
Federal \$3,538,816		Program is not covered by E.O. 12372	


Nancy K. Ousley
Assistant Director

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Assurances and Certifications

To the best of my knowledge and belief, all data in this application/preapplication is true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

Your typed name, in lieu of your signature represents your legal binding acceptance of the terms of this application and your statement of the veracity of the representations made in this application. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the following:

1. Assurances
2. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace requirements.

If you are an applicant for any Violence Against Women grants, this includes the Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act.

* Prefix:	Ms.	▼
Prefix (Other):		
* First Name:	Nancy K.	
Middle Initial:		
* Last Name:	Ousley	
Suffix:	Suffix:	▼
Suffix (Other):		
* Title:	Assistant	
* Address Line 1:	Attn Safe And Drug Free	
Address Line 2:	P.O. Box 42525	
* City:	Olympia	
County:		
* State:	Washington	▼
* Zip Code:	98504	2525
* Phone:	360	725 3093 Ext :
Fax:	360	753 2950
* E-mail:	nancy@cityofoly.com	


✓ I have examined the information provided here regarding the signing authority and certify it is accurate. I am the signing authority, or have been delegated or designated formally as the signing authority by the appropriate authority of official, to provide the information requested throughout this application system on behalf of this jurisdiction. Information regarding the signing authority, or the delegation of such authority, has been placed in a file and is available on-site for immediate review.

Nancy Ousley
Initials

STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133, Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63.
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).
7. If a governmental entity:
 - a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
 - b. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.


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**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER**

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

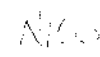
1. **LOBBYING** As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:
 - (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
 - (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
 - (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.
2. **DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)**
As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510
 - A. The applicant certifies that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
 - (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
 - B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

- A. The applicant certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - (b) Establishing an on-going drug-free awareness program to inform employees about
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
 - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;
 - (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications


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